



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

Application Number: 2207373
Applicant Name: Beth Davidow for John Y. Sato
Address of Proposal: 11532 Lake City Way NE

SUMMARY OF PROPOSED ACTION

Master Use Permit to change 9,604 square feet of customer service office to animal health services. Project includes interior alterations to the existing building. No exterior modifications are proposed in this application. The adjacent parking lot will be used for staff and client parking.

The following approvals are required:

Administrative Conditional Use Permit – 23.46.006C. Allows a nonconforming use to be converted by an administrative conditional use authorization to allow parking in a Residential Commercial (RC) Zone.

Administrative Conditional Use Permit – 23.42.110. Allows a change from one nonconforming use to another nonconforming use.

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

 ☐ DNS with conditions

 ☐ DNS involving non-exempt grading or demolition
 or involving another agency with jurisdiction

BACKGROUND DATA

Site Description

The property comprises two parcels located on Lake City Way NE mid-block between NE 115th and NE 117th Streets. Occupied by a vacant, one-story office building and a parking lot behind fronting on 28th Avenue NE., the site gently ascends to the southeast. Access occurs from both Lake City Way NE and 28th Avenue NE. A driveway from Lake City Way NE leads to the parking lot behind the building.

The site possess two separate zoning designations. The frontage on Lake City Way NE is classified as Commercial One with a forty foot height limit (C1-40). The parcel adjacent to the 28th Ave. NE right-of-way is zoned Lowrise Two Residential Commercial (L2-RC), a classification that allows a residential area to possess commercial uses. The demarcation between the two zones runs through the structure creating an anomaly in which the majority of the 9,600 square foot building lies within the C1 zone and leaving a small triangular portion of approximately 800 square feet within the L2-RC zone.

Area Development

Development in the immediate vicinity consists primarily of the Bill Pierre auto enterprises. Other uses in the area include retail, customer and administrative offices extending along Lake City Way NE, and single and multi-family residential uses the farther one travels to the east and west of the arterial.

Proposal Description

The applicant proposes to make interior alterations to the existing 9,604 square feet of vacant office building in order to provide an emergency animal care clinic. There are no changes proposed for the building's exterior or site. The adjacent 51 space parking lot contains adequate stalls for staff and clients.

Public Comment

No public comment on the project has been received by DCLU.

ANALYSIS - ADMINISTRATIVE CONDITIONAL

Section 23.46.006 of the Seattle Municipal Code provides that parking at or below grade accessory to nonresidential uses in adjacent commercial zones may be permitted as a conditional use. Subsection C of Section 23.46.006 provides general conditional use criteria and that an application can be conditioned as deemed necessary to limit the impacts or denied where it cannot be mitigated. The applicable criteria are stated below in italics and followed by analysis.

The use shall be determined not to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

The existing parking lot proposed to be reestablished as accessory to the commercial use in the C1-40 zone would not be expected to cause material detriment to the public welfare or to the

surrounding properties. Permitting the parking lot as accessory to the proposed use in the existing commercial structure would alleviate on-street parking in the vicinity and would reduce spill-over parking onto the streets because the number of parking stalls being provided are more than the minimum required by Code for the proposed new uses in the existing structure. The parking lot configuration would provide adequate maneuvering and circulation on site, thus avoiding vehicle backup into the abutting street. The nature of emergency care for animals, like humans, requires expeditious and orderly vehicle activity on-site and off-site, thus avoiding potential traffic conflicts that may be injurious to property or compromise public safety. Lake City Way NE does not have on-street parking.

Pursuant to SMC Section 23.46.006.C, the following five criteria must be met:

1. *The proposed parking is necessary to meet parking requirements, or the proposed parking will be used as a shared parking facility.*

The parking lot is necessary to meet parking requirements for the proposed use in the existing building. This would prevent significant utilization of the on-street parking allowed in the greater vicinity. The proposed new use in the existing structure would require 28 parking stalls, significantly less than the **51** spaces provided on the lot.

2. *The proposed parking is necessary to avoid increased parking congestion in the adjacent commercial area.*

The commercial areas are mostly located along the Lake City Way NE corridor. The many off-street parking lots are controlled by Bill Pierre's auto enterprises. The use of the existing parking lot by customers is expected to mitigate the increased parking congestion along this commercial strip. Customers for the proposed uses in the existing structure would proceed directly to the parking facility rather than illegally park in front of the building while dropping off the animal and then driving around in search for parking, potentially exacerbating traffic congestion in the immediate area.

3. *The proposed parking is necessary to avoid creation or worsening of excessive spillover parking in adjacent residential areas.*

Without providing an adequate number of off-street parking for the proposed use, the facility would create spillover parking into the direction of the residential areas, since there is practically no evidence of commercial parking adequately available along Lake City Way NE.

4. *Other parking options such as shared parking have been considered and found to be unavailable in the adjacent commercial zone.*

Although there are many parking lots in the vicinity, they are controlled by Bill Pierre's various auto enterprises. It is unlikely that other commercial parking lots available in the adjacent zone could be utilized for shared parking. Some of the adjacent and surrounding areas are predominantly developed with single and multi-family residences. The nature of emergency services for animals requires immediate access to the treatment rooms.

5. *The proposed parking does not encourage substantial traffic to pass through adjacent residential areas.*

The existing parking lot has three curb cuts for vehicle access. One curb allows ingress and egress on Lake City Way NE. The two other curb cuts provide access from 28th Avenue NE. Most vehicles would likely enter the site from Lake City Way NE. In order to avoid turning left back onto Lake City Way, the traffic flow may encourage using 28th Avenue NE as an exit. This is not unusual in the area as the neighboring Bill Pierre complex has a curb cut on to 28th Ave. NE. This same avenue is a zone transition from L2-RC to Single Family 5000. On the L2-RC side of the street, 90 degree parking is allowed on the street.

Pursuant to SMC Section 23.42.110, change from one nonconforming use to another nonconforming use, a nonconforming use may be converted by an administrative conditional use authorization to another use not otherwise permitted in the zone subject to specific limitations and conditions. The applicable criteria stated below in italics followed by analysis.

The proposed new use must be no more detrimental to properties in the zone and vicinity than the existing use. This determination shall be based on consideration of the following factors.

1. *The zones in which both the existing use and the proposed new use are allowed;*

The proposed veterinary emergency and critical care facility will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located. The small, 800 square foot triangular portion of the facility within the L2 RC zone will have men's and women's bathrooms, a waiting area and a conference room. These functions are fundamentally the same as when the building was occupied by state offices.

2. *The number of employees and clients associated or expected with the proposed use;*

The applicants state that they will have 13 to 15 employees, less than the amount the State of Washington had working at the building. Some patients may stay overnight in the facility.

3. *The relative parking, traffic, light, glare, noise, odor and similar impacts of the two uses and how these impacts could be mitigated:*

Parking

The land use code requires a similar parking ratio for animal services (one space for every 350 square feet) as it does for customer service office. The projected number of staff employed on site will be less than the State office building. Based on a 9,650 square foot building, parking requirement would be approximately 28 spaces. The 51 space lot would more than adequately meet the needs of staff and customers. No parking would need spill over on to the adjacent street network.

Traffic

According to the information submitted to DCLU by the applicant, the proposed animal health clinic will be open 24-hours a day, seven days a week. Based upon the transportation information completed by the applicant, it is anticipated eight to 15 clients will visit the clinic daily. Nearly all of the animals will be driven to the facility by their owners. During the evenings, the estimated number of users is four to eight until midnight and then drops off. On weekends, client use increases slightly with a range of ten to 20 visits.

During the day, a total of eight employees will work at the clinic. Three to four individuals will work in the evenings and four to five during the weekends. Ninety-five percent of the staff is likely drive to work. In contrast to the previous customer service use, the traffic generated by the animal clinic during the day will be considerably less. Due to the nature of the clinic practice, however, an increase in traffic will occur during evenings and weekends. These numbers will not have a significant impact on traffic.

Light and Glare

While the clinic is not likely to be heavily trafficked during the evenings, some light and glare will be emitted from cars using the parking lot. The perimeter of the lot is landscaped with trees and shrubs.

Noise and Odor

Noise levels are not anticipated to increase. The noise impact anticipated from the proposed project from traffic will be spread throughout the day. The 800 square foot area is fully contained within the structure's walls. At night, there will likely be some noise generated by family vehicles transporting their animals to the facility. Otherwise the noise level during operating hours is not anticipated beyond the current level.

DECISION - ADMINISTRATIVE CONDITIONAL USE PERMIT

The application for an administrative conditional use permit is **APPROVED.**

Signature: (signature on file) Date: March 13, 2003
Bruce P. Rips, AICP, Urban Planner
Land Use Division